

Austria continued to boast one of the strongest economies in Europe in 2014, with an unemployment rate of less than 5 percent. Nevertheless, the country's far-right, nationalist, and anti-immigration Freedom Party of Austria (FPÖ) attracted considerable support in the European Parliament (EP) elections in May, placing third with 20 percent of the vote. Mainstream parties were weakened by recent corruption scandals, and their pro-European Union (EU) policies had become unpopular amid public discontent with financial bailouts for other EU member states during the bloc's financial crisis.

Political Rights and Civil Liberties:

### **Political Rights: 38 / 40 [Key]**

#### **A. Electoral Process: 12 / 12**

The lower house of Parliament, the National Council (the Nationalrat), has 183 members chosen through proportional representation at the district, state, and federal levels. Members serve five-year terms, extended from four in 2008. The president, who is elected for a six-year term, appoints the chancellor, who needs the support of the legislature to govern. The 62 members of the upper house, the Federal Council (Bundesrat), are chosen by state legislatures for five- or six-year terms.

In the October 2013 legislative elections, Chancellor Werner Faymann's center-left Social Democratic Party of Austria (SPÖ) won 52 seats in the National Council, and the center-right People's Party of Austria (ÖVP) took 47. Their combined vote share of 50.9 percent, down from 78.8 percent in 2002, was their worst since World War II, and their combined number of seats fell from 108. Both parties were weakened by corruption scandals and by public discontent with their pro-EU policies. In December 2013, the SPÖ and the ÖVP reached an agreement to continue governing as a grand coalition.

The FPÖ took 40 seats in the 2013 elections, up 6 from the previous election. Team Stronach for Austria, a Euroskeptic, pro-business party founded in 2012 by Austrian-born Canadian car-parts magnate Frank Stronach, took 11 seats. The Austrian Green Party won 24 seats, while the centrist, pro-business New Austria (NEOS) won nine seats. The far-right Alliance for the Future of Austria (BZÖ), which had split from the FPÖ in 2005 and was considered less extreme, failed to win any seats, falling short of the 4 percent threshold necessary for inclusion in the National Council. Voter turnout was approximately 75 percent.

In the May 2014 EP elections, the ÖVP secured 27 percent of the vote, the SPÖ won 24 percent, and FPÖ won 20 percent of the vote. Andreas Mölzer, an FPÖ member serving in the EP since 2004, declined to seek reelection after facing criticism for making racially derogatory remarks and likening the EU to Nazi Germany. FPÖ leader Heinz-Christian Strache has sought to curb the party's openly anti-Semitic and racist rhetoric. In April 2014, the party—which has maintained that immigration threatens European culture and identity—stated that it accepts immigrants who have assimilated into Austrian culture. In 2000, the EU briefly suspended ties with Austria, imposing diplomatic sanctions in response to the inclusion of the FPÖ in an ÖVP-led coalition government.

#### **B. Political Pluralism and Participation: 15 / 16**

Although Austria has competitive political parties and free and fair elections, the traditional practice of grand coalitions has fostered public disillusionment in the political process. The participation of Slovene, Hungarian, and Roma minorities in local government remains limited despite governmental efforts to provide bilingual education, media, and access to federal funds. There is little minority representation in Parliament. After the 2013 elections, the National Council included one Muslim man and three Turkish-born Muslim women. According to the 2014 edition of the Migrant Integration Policy Index, Austria provides immigrants with fewer opportunities for citizenship and political participation than most Western European countries.

### **C. Functioning of Government: 11 / 12**

Recent corruption scandals have damaged the reputation of Austria's political class. In February 2014, a trial began against Wolfgang Duchtatzek, deputy governor of the Austrian central bank, who with eight other defendants is accused of paying approximately €14 million (\$19 million) in bribes to officials in Azerbaijan and Syria to win contracts for supplying banknotes to these countries. Austria was ranked 23 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

In March 2014, Austria ceased its opposition to an EU plan to curb tax evasion that would require member states to divulge information about bank account holders under the EU Savings Tax Directive. Austria and Luxembourg, both known as bastions of banking secrecy, had opposed full implementation of the directive since its inception in 2005.

### **Civil Liberties: 58 / 60**

#### **D. Freedom of Expression and Belief: 16 / 16**

The federal constitution and the Media Law of 1981 provide the basis for free media in Austria, and the government generally respects these provisions in practice. However, libel and slander laws protect politicians and government officials, and a large number of defamation cases have been brought by officials, particularly from the FPÖ, in recent years. Despite a 2003 law to promote media diversity, media ownership remains highly concentrated. There are no restrictions on internet access.

While there is no official censorship, Austrian law prohibits any form of neo-Nazism or anti-Semitism, as well as the public denial, approval, or justification of Nazi crimes, including the Holocaust. The FPÖ has been accused of anti-Semitic rhetoric in recent years and has additionally been criticized for fueling anti-Muslim feelings in Austria through controversial advertising campaigns. A number of recent high-profile court cases have centered on the balance between freedom of speech and the prohibition of hate speech.

In December 2014, Parliament passed legislation to ban flags and clothing bearing symbols of the militant group Islamic State (IS) and 18 other groups, following a similar ban on IS symbols in Germany.

Religious freedom is constitutionally guaranteed. Austrian law divides religious organizations into three legal categories: officially recognized religious societies, religious confessional communities, and

associations. Many religious minority groups have complained that the law impedes their legitimate claims for recognition and demotes them to second- or third-class status. There are no government restrictions on academic freedom, and private discussion is both free and vibrant.

## **E. Associational and Organizational Rights: 12 / 12**

Freedoms of assembly and association are protected in the constitution and in practice. Nongovernmental organizations operate without restrictions. Trade unions are free to organize and to strike, and they are considered an essential partner in national policymaking.

## **F. Rule of Law: 15 / 16**

The judiciary is independent, and the Constitutional Court examines the compatibility of legislation with the constitution without political influence or interference. Conditions in prisons generally meet high European standards.

Residents are usually afforded equal protection under the law. However, immigration has fueled some resentment toward minorities and foreigners, as well as discriminatory practices. Austria has one of the world's highest numbers of asylum seekers per capita, and the Office of the UN High Commissioner for Refugees (UNHCR) has criticized the country's strict asylum law. Some asylum seekers can be deported while appeals are pending, and new arrivals are asked for full statements within 72 hours. In addition, the number of people who have been naturalized has fallen dramatically since the establishment of a more restrictive national integration policy in 2009. At a June 2014 meeting of the UNHCR, Austria pledged to accept 1,500 Syrian refugees over a period of 12 months. Also in June, the governor of the state of Lower Austria warned that the country's main refugee center was overcrowded, with 1,300 asylum seekers living in a space intended for a maximum of 480. In September, Chancellor Faymann called on the EU to develop a more coordinated refugee policy. Approximately 28,000 people sought asylum in Austria in 2014, the seventh-highest number in the EU.

Antiterrorism legislation passed in December created a possibility for the state to revoke the citizenship of anyone who has traveled abroad to fight with jihadist groups. According to the interior ministry, nearly 200 people have traveled from Austria to the Middle East for that purpose since the start of the Syrian civil war in 2011.

Antidiscrimination laws apply to the rights of LGBT (lesbian, gay, bisexual, and transgender) people. In June 2014, openly gay politician Ulrike Lunacek was attacked with acid while participating in a parade in support of LGBT rights.

## **G. Personal Autonomy and Individual Rights: 15 / 16**

Austrian citizens enjoy freedom of movement and choice of residence. Roma and other ethnic minorities face discrimination in the labor and housing markets. The labor ministry has sought to promote integration of younger immigrants by providing German-language and job training.

A 1979 law guarantees women's freedom from discrimination in various areas, including the workplace.

However, the income gap between men and women remains significant. The 2009 Second Protection Against Violence Act increased penalties for perpetrators of domestic violence and authorized further measures against chronic offenders. Women made up 33 percent of the National Council after the 2013 elections.

A 2009 law permits civil partnerships for same-sex couples, giving them equal rights to pension benefits and alimony, but same-sex marriage is not recognized. The law does not provide same-sex couples with the same adoption rights or access to assisted reproductive technologies as heterosexual couples. In July 2013, Parliament approved an amendment to the civil code to allow the biological children of an individual to be adopted by his or her partner, but it rejected a bill that would grant same-sex couples unrestricted adoption rights.

### **Scoring Key: X / Y (Z)**

**X = Score Received**

**Y = Best Possible Score**

**Z = Change from Previous Year**

**[Full Methodology](#)**